

Vanessa R. Waldref
United States Attorney
Eastern District of Washington
Ann T. Wick
Assistant United States Attorney
Post Office Box 1494
Spokane, WA 99210-1494
Telephone: (509) 353-2767

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
FEB 15 2022
SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT RAY ROOT,

Defendant.

1:22-CR-2018-SAB

INDICTMENT

Vios: 18 U.S.C. § 2252A(a)(2)(A), (b)(1):
Receipt of Child Pornography
(Count 1)

18 U.S.C. § 2252A(a)(2)(A), (b)(1):
Distribution of Child Pornography
(Count 2)

18 U.S.C. § 2252A(a)(5)(B), (b)(2):
Possession of Child Pornography
(Count 3)

18 U.S.C. § 2253
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Beginning on or about October 10, 2021, and continuing through on or about January 13, 2022, in the Eastern District of Washington, the Defendant, ROBERT RAY ROOT, did knowingly receive child pornography, as defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of minors engaging in

1 sexually explicit conduct, and which visual depictions were of such conduct, that
2 had been mailed, and shipped and transported using any means and facility of
3 interstate and foreign commerce and in and affecting interstate and foreign
4 commerce by any means, including by computer, and that was produced using
5 materials that had been mailed, and shipped and transported in and affecting
6 interstate and foreign commerce by any means, including by computer, to wit:
7 visual depictions of minors engaging in sexually explicit conduct, including, but
8 not limited to, the lascivious exhibition of their genitals and pubic areas, in
9 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

10 COUNT 2

11 Beginning on or about October 10, 2021, and continuing through on or about
12 November 8, 2021, in the Eastern District of Washington and elsewhere, the
13 Defendant, ROBERT RAY ROOT, did knowingly distribute child pornography, as
14 defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of
15 minors engaging in sexually explicit conduct, and which visual depictions were of
16 such conduct, that had been mailed, and shipped and transported using any means
17 and facility of interstate and foreign commerce and in and affecting interstate and
18 foreign commerce by any means, including by computer, and that was produced
19 using materials that had been mailed, and shipped and transported in and affecting
20 interstate and foreign commerce by any means, including by computer, to wit:
21 visual depictions of minors engaging in sexually explicit conduct, including, but
22 not limited to, the lascivious exhibition of their genitals and pubic areas, in
23 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

24 COUNT 3

25 On or about January 13, 2022, in the Eastern District of Washington, the
26 Defendant, ROBERT RAY ROOT, did knowingly possess material which
27 contained one or more visual depictions of child pornography, as defined in 18
28

1 U.S.C. § 2256(8)(A), the production of which involved the use of minors engaging
2 in sexually explicit conduct, and which visual depictions were of such conduct,
3 that had been mailed, and shipped and transported using any means and facility of
4 interstate and foreign commerce and in and affecting interstate and foreign
5 commerce by any means, including by computer, and that was produced using
6 materials that had been mailed, and shipped and transported in and affecting
7 interstate and foreign commerce by any means, including by computer, to wit:
8 visual depictions of minors, including prepubescent minors and minors who had
9 not attained 12 years of age, engaging in sexually explicit conduct, all in violation
10 of 18 U.S.C. § 2252A(a)(5)(B), (b)(2).

11 NOTICE OF FORFEITURE ALLEGATIONS

12 The allegations contained in this Indictment are hereby realleged and
13 incorporated by reference for the purpose of alleging forfeitures.

14 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of
15 18 U.S.C. § 2252A(a)(2), (b)(1), and/or 18 U.S.C. § 2252A(a)(5)(B), (b)(2), as
16 alleged in Counts 1, 2, and/or 3 of this Indictment, the Defendant, ROBERT RAY
17 ROOT, shall forfeit to the United States, any visual depiction described in section
18 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book,
19 magazine, periodical, film, videotape, or other matter which contains any such
20 visual depiction, which was produced, transported, mailed, shipped or received in
21 violation of this chapter; any property, real or personal, constituting or traceable to
22 gross profits or other proceeds obtained from such offenses; and, any property, real
23 or personal, used or intended to be used to commit or to promote the commission
24 of such offenses, or any property traceable to such property, including, but not
25 limited to, the following:
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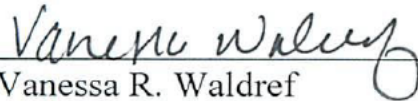
- 1 - A Digital (WD) 1TB Hard Disk Drive (HDD) with SN#: WCC6Y6ZC016J
2 and MDL#: WD10EZEX-60WN4A0 from a HP Omen Desktop
3 Computer.

4 If any of the property described above, as a result of any act or
5 omission of the Defendant:

- 6 a. cannot be located upon the exercise of due diligence;
7 b. has been transferred or sold to, or deposited with, a third party;
8 c. has been placed beyond the jurisdiction of the Court;
9 d. has been substantially diminished in value; or
10 e. has been commingled with other property which cannot be
11 divided without difficulty,

12 the United States of America shall be entitled to forfeiture of substitute property
13 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).

14 DATED this 15th day of February, 2022.

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22 Vanessa R. Waldref
23 United States Attorney

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25 Ann T. Wick
26 Assistant United States Attorney
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